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From the Madisonian.

GET MARRIED.

The editor of the Norwich Aurora asks of his readers the very important question, "what is the use of getting married?" A few thoughts must give our reasons why all men should get married.

The great object of human life is happiness. To this end, man bends every action, and gives birth to every thought. If he toils, he toils for the accomplishment of this purpose only; if he begs or bestows favors—if he receives or administers the blessings of fortune—if he courts popularity, seeks for fame, or spends his whole life in accumulating wealth, he has but one grand active propelling principle within him, ever prompting to thought and deed, and that is, a desire for happiness:

"—— our being's end and aim."

Man is a social being, formed for society and intercourse, and the very elements of his nature are opposed to a life of solitude and "single blessedness." He delights in having one boon companion, in whom he can confide with all the faithfulness and freedom of his own breast. It is therefore with a view to his social happiness, for the enlargement of his domestic comforts, and for the pleasure of sharing his enjoyment and cares, that he selects that companion from the opposite sex. The sexes are treacherous among themselves, but seldom to each other.

A certain writer remarks that "marriage enlarges the scene of our happiness or misery; the marriage of love is pleasant, the marriage of interest easy, and the marriage where both meet happy." It is even so. But though there are cases where men are so blinded by the object of their pursuit as to overlook discrepancies and disparagements which afterwards prove vexatious—is it a reason that there is no "use in getting married?" Man has the elements of happiness within himself, which, when rightly exercised, never fail to produce it. It remains with him altogether to comply with the requisitions of nature, and support her institutions, to fulfil the laws of God, and effect the great object of his own being. In complying, however, he is assured of a happiness which he cannot otherwise obtain. Therefore, if he values his happiness—if he is a judicious man—if he is not selfish and misanthropic, he will act out the principles of his nature and get married. There is no man but feels the influence of woman, delights in her society, and worships, to a certain degree, at the shrine of her charms of personal beauty and brilliant mental acquirements.

"Nature has given her an influence over man, more powerful, more perpetual than his own love. From birth to death, he takes help and healing from her hand, under all the most touching circumstances of life; her bosom succors him in infancy, soothes him to manhood, supports him in sickness and in age. Such influence as this, beginning at the spring of life, and acting in all its most trying moments, must deteriorate or improve man's character—must diminish or increase his happiness, according to the moral and intellectual gradation of women. Thus, upon her improvement in particular, depends human improvement in general."

Setting aside individual happiness, and all the pleasures of the social circle, the comforts of domestic life, the cheering of the smile and voice that greet the husband and the father, the nature of society urges strong reasons why men should get married. Because human improvement, the good of the world, depends upon woman in her proper sphere. Our first lessons are the instructions of her lips, and our earliest impressions are taken from her examples. Thus it is that we carry into society her influence, which extends throughout all ranks and classes of mankind.

Woman's influence, therefore, not only sheds a mild and cheering lustre over the hearts of her friends, around the fireside of her family, and within the narrow sphere in which nature has placed her, but upon the whole world. It enters the haunts of vice, and drags forth the victim of the bowl, dashes it from his lips, and restores him to reason and to a virtuous life. It prevents the prostitution of those qualities, which ennoble, dignify, and elevate man above all other things.

It prevents crime in its thousand forms, and makes man virtuous, when he would otherwise be vicious. It carries peace and prosperity where trouble and adversity would reign, and gives birth to a thousand pleasures that would otherwise never exist.

The young man who is fond of the society of virtuous females, has a better capital for his character, than a birth of wealth could give him. He is looked upon as a moral and virtuous young man, because, generally speaking, only such take pleasure in the refinement of female society.

Take it all in all, therefore, marriage is necessary, for man's happiness, for the true formation of his character, for the peace of his home, the comfort of his heart, the joy of his youth, and the solace of his years.

In fine, man never becomes a member of society until he is married. Unmarried, he is looked upon with disgust. He has no home, no abiding place, no anchor to hold him fast, but is a mere piece of float-wood on the great tide of time. His interest is not with society, further than the accomplishment of some selfish object is concerned, and he cares not for the welfare of the generations springing up around him, and who are to live after him. He becomes embittered in his feelings against all mankind, misanthropic, parsimonious, morose, and irascible.

To our friends of the Aurora, and to all young men who are looking after happiness, we say therefore, "get married."

If you are desirous of wealth, get married, for a good wife promotes habits of industry and economy, and prevents a great many unnecessary expenses which cannot be avoided in single life.

If you are looking for stations of distinction and honor, get married, for a good wife will seek to advance her husband in the prosecution of all honorable purposes, and lend him that aid and encouragement which he can derive from no other source.

If you would become a good citizen, get married, for he is alone worthy of the title, who is connected to the great family of man by the ties of husband and father.

If you are fortunate, get married, for a good wife will increase your prosperity and render you "twice blessed" in the enjoyment of your riches.

If you are unfortunate, get married. The cares of the world are lessened by having a wife who takes pleasure in sharing them with you.

If you are in business, get married, for the married man has his mind fixed on his business and his family, and is more likely of success.

If you are young, get married. Dr. Franklin advocated early marriages, because a man who marries young, can have the satisfaction of raising and educating his children before he dies.

Get married—Let your plans and purposes for future life be what they may, the business of getting married is one that should be attended to first, as it neither interferes with your plans, nor prevents their execution.

Get married—Live soberly, be industrious, engage in nothing that will deteriorate from your character as an honest man, a pure patriot, and a kind husband; take our advice, and "with all your gettings," GET MARRIED.

Mr. Webster's Speech,

On the proposed amendment to the Bankrupt Bill,

IN SENATE—May 18, 1840.

I feel a deep and anxious concern for the success of this bill, and, in rising to address the Senate, my only motive is a sincere desire to answer objections which have been made to it, so far as I may be able, and to urge the necessity and importance of its passage. Fortunately, it is a subject which does not connect itself with any of the party contests of the day; and although it would not become me to admonish others, yet I have prescribed it as a rule to myself, that, in attempting to forward the measure, and to bring it to a successful termination, I shall seek no party ends, no party influence, no party advancement. The subject, so far as I am concerned, shall be sacred from the intrusion of all such objects and purposes. I wish to treat this occasion, and this highly important question, as a green spot, in the midst of the fiery deserts of party strife, on which all may meet harmoniously and amicably, and hold common council for the common good.

The power of Congress over the subject of bankruptcies—the most useful mode of exercising the power under the present circumstances of the country—and the duty of exercising it—are the points to which attention is naturally called by every one who addresses the Senate.

In the first place, as to the power. It is fortunately not an inferred or constructive power, but one of the express grants of the Constitution. "Congress shall have power to establish uniform laws on the subject of bankruptcies throughout the United States." These are the words of the grant; there may be questions about the extent of the power, but there can be none of its existence.

The bill which has been reported by the committee provides for voluntary bankruptcies only. It contains no provisions by which creditors, on an alleged act of bankruptcy, may proceed against their debtors, with a view to subject them and their property to the operation of the law. It looks to no coercion by a creditor to make his debtor a subject of the law against his will. This is the first characteristic of the bill, and in this respect it certainly differs from the former bankrupt law of the United States, and from the English bankrupt laws.

The bill, too, extends its provisions not only to those who either in fact or in contemplation of law are traders, but to all persons who declare themselves insolvent, or unable to pay their debts and meet their engagements, and who desire to assign their property for the benefit of their creditors. In this respect, also, it differs from the former law, and from the law of England.

The questions, then, are two: 1st. Can Congress constitutionally pass a bankrupt law which shall include other persons besides traders? 2d. Can it pass a law providing for voluntary cases only; that is, cases in which the proceedings originate only with the debtor himself?

The consideration of both these questions is necessarily involved in the discussion of the present bill, inasmuch as it has been denied that Congress has power to extend bankrupt laws further than to merchants and traders, or to make them for voluntary cases only. This limitation of the power of Congress is asserted on the idea, that the framers of the Constitution, in conferring the power of establishing bankrupt laws, must be presumed to have had reference to the bankrupt laws of England, as then existing; and that the laws of England, then existing, embraced none but merchants and traders, and provided only for involuntary, or coercive bankruptcies.

Now, sir, in the first place, allow me to remark, that the power is granted to Congress in the most general and comprehensive terms. It has one limitation only, which is, that laws on the subject of bankruptcies shall be uniform throughout the United States. With this qualification, the whole subject is placed in the discretion and under the legislation of Congress. The Constitution does not say that Congress shall have power to pass a bankrupt law, nor to introduce *the* system of bankruptcy. It declares that Congress shall have power to "*establish uniform laws, on the subject of bankruptcies, throughout the United States.*" This is the whole clause, nor is there any limitation or restriction imposed by any other clause.

What, then, is "the subject of bankruptcies?" or, in other words, what are "bankruptcies?" It is to be remembered that the Constitution grants the powers to Congress by particular or specific enumeration; and, in making this enumeration, it mentions bankruptcies as a head of legislation, or as one of the subjects over which Congress is to possess authority. Bankruptcies are the subject, and the word is most certainly to be taken in its common and popular sense; in that sense in which the people may be supposed to have understood it, when they ratified the Constitution. This is the true rule of interpretation. And I may remark, that it is always a little dangerous, in construing the Constitution, to search for the opinions or understanding of members of the Convention in any other sources than the Constitution itself, because the Constitution owes its whole force and authority to its ratification by the People, and the People judged of it by the meaning most apparent on its face. How particular members may have understood its provisions, if it could be ascertained, would not be conclusive.—The question would still be, how did the People understand it? And this can be decided only by giving their usual acceptation to all words not evidently used in a technical sense, and by inquiring, in any case, what was the interpretation or exposition presented to the People when the subject was under consideration?

Bankruptcies, in the general use and acceptation of the term, mean no more than failures. A bankruptcy is a fact. It is an occurrence in the life and fortunes of an individual. When a man cannot pay his debts, we say he has become bankrupt, or has failed. Bankruptcy is not merely the condition of a man who is insolvent, and on whom a bankrupt law is already acting. This would be quite too technical an interpretation. According to this, there could never be bankrupt laws, because every law, if this were the meaning, would suppose the existence of a previous law. Whenever a man's means are insufficient to meet his engagements and pay his debts, the fact of bankruptcy has arisen, whether there be a law providing for it or not.

There may be bankruptcies, or cases of bankruptcy, where there are no bankrupt laws existing. Or bankrupt laws may exist, which shall extend to some bankruptcies, or some cases of bankruptcy, and not to others. We constantly speak of bankruptcies happening among individuals without reference to existing laws. Bankruptcies, as facts, or occurrences, or cases, for which Congress is authorized to make provision, are failures. A learned Judge has said that a law on the subject of bankruptcies, in the sense of the Constitution, is a law making provision for cases of persons failing to pay their debts. Over the whole subject of these bankruptcies, or these failures, the power of Congress, as it stands on the face of the Constitution, is full and complete.

And now let us see how it is that this broad and general power is, or can be, limited by a supposed reference to the English system. The argument is this: The members of the Convention, in conferring this power on Congress, must be supposed to have had reference to the bankrupt laws of England; and the bankrupt laws of England, as then existing, embraced only merchants and traders, and were only applied to debtors at the instance of their creditors; therefore, the inference is said to be, that traders only should be regarded as subjects of any bankrupt law to be passed by Congress, and that no such law should give the debtor himself a right to become bankrupt, at his own request; or, at least, that every such law should give a right to the creditor to proceed against his debtor. But is this the just analogy? Is this the point of view in which a general resemblance of our system and the English system may be supposed to have been contemplated? Clearly not, in my opinion. Let it be admitted that the framers of the Constitution looked to England for a general example; they must be supposed, nevertheless, to have looked to the power of Parliament, and not to the particular mode in which that power had been exercised, or the particular law then actually existing. The true analogy is, as it seems to me, between power and power—the power of Parliament, and the power of Congress; and not between the power of Congress and any actually existing British statute, which might be, perhaps, in many respects, quite unsuitable to our condition.

The members of the Convention did not study the British statutes, nor examine judicial decisions, to ascertain the precise nature of the actually existing system of bankruptcy in England. Still less did the People of the United States trouble themselves with such inquiries. All saw that Parliament possessed and exercised a power of passing bankrupt laws, and of altering and amending them, from time to time, according to its own discretion, and the necessities of the case. This power they intended to confer on Congress, as largely, for aught that appears, as they saw it held by Parliament. The early British statutes were not confined to traders; later statutes were so examined; and, more recently, again, changes have been made, which bring in very numerous classes of persons who were not esteemed traders, in England, at the time of the adoption of the Constitution of the United States. I may add, that bankrupt laws, properly so called, as laws providing for the *cessio bonorum*, on the continent of Europe, and in Scotland, were never confined to traders and while the members of the Convention may be supposed to have looked to the example of England, it is by no means improbable that they contemplated also the examples and institutions of other countries. There is no reason to suppose that it was intended to tie up the hands of Congress to the establishment of that particular bankrupt system which existed in England in 1789, and to deny to it all power of future modification and amendment; it would be just as reasonable to say that the United States laws of copy-right, or patents for inventions, and many others, could only be mere transcripts of such British statutes on the same subjects, as existed in 1789.

The great object was to authorize Congress to establish a uniform system throughout all the states. No state could of itself establish such a system; it could only establish a system for itself and the diversities, inconsistencies, and interferences of the several state systems had been subjects of much well-grounded complaint. It was intended to give Congress the power to establish uniformity in this respect; and if the English example was regarded as the general character, of a power in Parliament to pass laws on the subject, to repeal them, and pass others, in its discretion, and to deal with the whole subject, from time to time, as experience or the exigencies of the public should suggest or require. The bankrupt system of England, as it existed in 1789, was not the same which had previously existed, nor the same which afterwards existed, as that which now exists. At first, the system was coercive, and the law a sort of criminal law extending to all persons, as well as traders. But changes had taken place before 1789, and other changes, and very important changes, have taken place since. The system is now greatly simplified and improved, and it is also made much more expensive, as to those whom it embraces. It is hardly too much to say that it is preposterous to contend, that we are to refuse to ourselves not only the light of our own experience, and all regard to our own peculiar situation, but that we are also to exclude from our regard and notice all modern English improvements, and confine ourselves to the English bankrupt laws as they existed in 1789. The power of Congress is given in the fullest manner, and by the largest and most comprehensive terms and forms of expression; and it cannot be limited by vague presumptions of a reference to other existing codes, or loose conjectures about the intents of its framers, nowhere expressed or intimated in the instrument itself, or any contemporaneous exposition.

I think, then, that Congress may pass a law which shall include persons not traders, and which shall include voluntary cases only. And I think further, that the amendment proposed by the honorable member from New Jersey is, in effect, exactly against his own argument. I think it admits all that he contends against. In the first place, he admits voluntary bankruptcies, and there were none such in England in 1789. This is clear. And in the next place, he admits any one who will say that he has been concerned in trade; and he maintains, and has asserted, that in this country any body may say that. Any body, then, may come in under the bill. The only difference is, he must come in under a disguise, or in an assumed character. Whatever be his employment, occupation, or pursuits, he must come in as a trader, or as one who has been concerned or engaged in trade. The honorable member attempts a distinction between traders and those who can say that they have been engaged in trade. I cannot see the difference. It is too fine for me. A trader is one concerned in trade, and to be concerned in trade is to be a trader. What difference? But if persons may be concerned in trade, [illegible] traders, still such persons were not embraced in the English statutes, which applied to traders only; and, therefore, the gentleman's bill would embrace persons not within those statutes, as they stood in 1789.

The gentleman's real object is not to confine the bill to traders, but to embrace every body; and yet he deems it necessary for every person applying to state, and to swear, that he has been engaged in trade. This seems to me to be both superfluous and objectionable; superfluous, because, if we have a right to bring in persons under one name, we may bring in the same persons under another name, or by general description; objectionable, because it requires men to state what may very much resemble a falsehood, and to make oath to it. Suppose a farmer or a mechanic to fail, can he take an oath that he has been engaged in trade? If the objection to bring in others than traders is well founded in the Constitution, surely mere form cannot remove it. Words cannot alter things. The constitution says nothing about traders. Yet the honorable gentleman's amendment requires all applicants to declare themselves traders; and, if they will but say so, and swear so, it shall be so received, and nobody shall contradict it. In other words, a fiction, not very innocent, shall be allowed to overcome a constitutional objection. The gentleman has been misled by a false analogy. He has adopted an example which does not apply to the case, and which he yet does not follow out. The British statutes are confined to traders, but then they contain a long list of persons who it is declared shall be deemed and taken to be traders within the acts. This list they extend, from time to time; and whenever any one within it becomes a voluntary bankrupt, he avers, in substance, that he is a trader within the act of Parliament. If it had been necessary, as it is not, to follow this example at all, the gentleman's bill should have declared all persons traders, for the purposes of this act, and then every body could have made the declaration without impropriety, as, in England, the applicant only states that which the law has made true. He declares himself a trader, because the law has already declared that he shall be considered a trader. His conscience, therefore, is protected. He swears only according the act of Parliament, if he swear at all. But, as the provision stands here, it calls on every one to declare himself a trader, or that he has been engaged in trade, not within the particular meaning or scope of any act of Congress, but in the usual and popular acceptation of the word.

Suppose, sir, a cotton planter, by inevitable misfortune, by fire or flood, or by epidemics among his hands, is ruined in his affairs. Suppose he desires to make a surrender of his property and be discharged from his debts. He will be told, you cannot have the benefit of the law as a cotton planter; it is made only for traders, or persons engaged in trade. Are you not a trader? No, I am no trader, and was never engaged in trade. I bought my land here, bought my hands from Carolina, have bought stock from Kentucky, and raised cotton and sold it. But I never bought an article to sell again. I am no trader. But you must swear that you have been engaged in trade; you must apply, not as John Jones, Esquire, cotton planter, on the Red river, but as Mr. John Jones, trader, at his store-house, at or near the plantation of John Jones, Esq. And so, sir, John Jones, the cotton planter, must either remain as he is, excluded from the provisions of the law, altogether, or sneak into them under a disingenuous disguise, if it be not something worse.

This attempt, therefore, sir, to avoid a supposed difficulty, encounters two decisive objections. In the first place, there is no difficulty to be avoided; in the second place, if there was, this manner of avoiding it would be a mere evasion.

But now, sir, I come to a very important inquiry. The Constitution requires us to establish *uniform* laws on the subject of bankruptcy, if we establish any. Now what is this uniformity, or in what is it to consist? The honorable gentleman says that the meaning is that the law must give a coercive power to creditors, as well as a voluntary power to debtors. That this is the constitutional uniformity, I deny this altogether. No idea of uniformity arises from any such consideration. The uniformity which the Constitution requires is merely a uniformity throughout all the states. It is a local uniformity, and nothing more. The words are perfectly plain, and the sense cannot be doubted. The authority is, to establish uniform laws on the subject of bankruptcies throughout the United States. Can any thing be clearer? To be uniform is to have one shape, one fashion, one form; and our bankrupt laws, if we pass them, are to have one shape, one fashion, [illegible] in every state. If this [illegible] what is the sense of the [illegible] words of the clause, [illegible] throughout the United States? My honorable friends from Kentucky, (Mr. Crittenden) has suggested a view of the whole question, if there ever could be a question about it, [illegible] in many same clause of the Constitution, where the word is applied to rules of naturalization; and what it means in a previous clause, where it declares that all duties and imposts shall be *uniform* throughout the U. States.

It can hardly be necessary to discuss this point further. If it were, the whole history of the Constitution would show the object of the provision. Bankrupt laws were supposed to be closely connected with commercial regulations. They were considered to be laws nearly affecting the intercourse, trade, and dealing between citizens of different states; and for this reason it was thought wise to enable Congress to make them uniform. The Constitution provided that there should be but one coinage, and one power to fix the value of foreign coins. The legal medium of payment, therefore, in fulfilment of contracts, was to be ascertained and fixed for all the states, by Congress, and by Congress alone; and Congress, and Congress alone, was to have the power of providing a uniform mode in which contracts might be discharged without payment. Look to the discussions of the times; to the expositions of the Constitution made to the People by its friends when they urged its adoption; look to all within the Constitution, and all without it; look any where or every where, and you will see one and the same meaning; and that meaning cannot be more clearly expressed than the words of the clause themselves express it—that laws to be established by Congress on the subject of bankruptcies *shall be uniform throughout the United States.*

Now, sir, the gentleman's bill is not uniform. It proposes that there may be one law in Massachusetts, and another in New Jersey. The gentleman's bill includes corporations; but then it gives each state a power to exempt its own corporations, or any of them, from the operation of the law, if it shall so choose. It decides what shall be, in the case of banks, an act of bankruptcy; but then it provides that any state may say, nevertheless, that, in regard to its own banks, or any of them, this shall not be an act of bankruptcy.

Here is the provision:

"*Provided, however,* That nothing herein contained shall apply to or in any wise affect any corporation or association of persons, incorporated or acting under a law of any state of the Union, or any territory of the U. S., where such corporation or association shall be authorized by their charter, or any express law of such state or territory, to do or commit the acts herein declared to be an act of bankruptcy, or where, by any such law of any such state or territory, the said corporation or association of persons shall or may be exempted from the provisions of this act."

Pray, sir, what sort of uniformity is this? A uniformity which consists in the authorized multiplication of varieties. Who will undertake to defend legislation of this kind, under our power to establish uniform laws on the subject of bankruptcies throughout the United States? Not only is it in direct violation of the plain text of the Constitution, but it lets in the very evils, every one of them, which the constitutional provision intended to shut out. The Constitution says that Congress may *establish* uniform laws; the gentleman's bill says that Congress may *propose* a law, at least so far as corporations are concerned, but that still each state may take what it likes, and reject the rest; and this, he contends, is establishing a uniform law.

I pray, sir, where is the power of exemption to stop? If we may authorize states to exempt their corporations, may we not, with equal propriety, authorize them to exempt all their citizens? May we not say that each state may decide for itself whether it will have any thing to do with the law, when we have passed it, or what parts it will adopt, and what parts it will refuse to adopt?

But, sir, I must wait till some attempt is made to defend this part of the gentleman's bill. I must see some show of propriety, some plausibility, before I reason against it further. In the view I at present have of it, it appears to me utterly repugnant to the plain requirements of the Constitution, destitute not only of all argument for its support, but of all apology also. I see nothing in it but naked unconstitutionality.

But, Mr. President, if these provisions were constitutional, they would still be in the highest degree unjust, and inexpedient, and inadmissible. What is the object of bringing the banks into the bill at all? Certainly there can be no just object, other than to ensure the constant and punctual discharge of their duties, by always paying their notes on presentment. Clearly there can be no object but to prevent their suspension of payment. And it might be said that this object was kept in view, if the law were uniform, peremptory, inflexible, and applying to all banks. But when you give the power of exemption to the states, you sanction the very evil which you propose to remedy. You profess to prescribe a general rule, and yet authorize and justify its violation. Do not the states now exempt, and is not that the very evil from which we suffer? Is not suspension, under the authority of state exemption, the topic, the discussion of which every day nearly stuns us by its reverberation from the walls of this chamber? The charters of the banks are, in general, well enough. They require punctual specie payments, under severe penalties, and, in some cases, under the penalty of forfeiture. But under the pressure of circumstances, and from a real or supposed necessity, the states relieve the banks from these penalties; and forbear to enforce the forfeitures. And will they not, most assuredly, also relieve the banks in the same manner, and for the same reasons, if they have the power, from the penalties of our bankrupt laws? State permission, state indulgence, state exemption, is the very ground on which suspension now stands, and on which it is justified. And it is now proposed that Congress shall give its authority and sanction to all this. It is proposed that Congress shall solemnly recognize the principle, and approve and sanction the practice of state exemption of the suspension of specie payments, by state authority. If the states will not enforce their own laws against the banks, can any one imagine that they will see the equally or still more severe penalties of our bankrupt law enforced, while they have the power to prevent it?

Some weeks ago the honorable member from Pennsylvania moved for a committee to inquire into the propriety of amending the Constitution, so as to insert a provision giving Congress power to restrain the circulation of small bank notes. I did not concur in his measure, not thinking the Constitution needed amendment in that respect, but his argument was quite intelligible. He said this abolition of small bills could not now be done, because the states could not be brought to act in concert; yet they might all be brought to consent that Congress should establish a uniform rule upon the subject. That was fair reasoning towards a proper object. It went for uniformity on a point of great commercial importance. But how is it here? We do not here propose uniformity, we do not require that one rule may extend over all. Far otherwise, for we propose to authorize difference, dissonance, and confusion. Having the power to establish uniformity, we delegate an authority to create variety. Charged by the Constitution to establish one rule, we ourselves, instead of performing that duty, call upon others to establish different and varying rules. All must see to what this leads, or rather what this is; for it is a measure which would be perfect in its beginning, it would reach its destiny at its commencement, its mischievous tendencies would be accomplished at its birth. The passage of this bill would add the solemn sanction of Congress to the sanction of the states to the suspension of specie payments by the banks. That is the practical sum and substance, the long and the short, of the whole matter.

Sir, if our constitutional power enables us to embrace the banks in this bill, and if we see no insuperable or greatly formidable practical objections, then I think we ought to include them, and to include them all, without any power of escape.

Suppose the bill should be made uniform, then, and to include all banks, have we the power, and is it expedient, to pass it in that shape?

On the motion for a committee, made some time ago by the member from Pennsylvania, to which I have already referred, I suggested the opinions which I entertain on one branch of the power of Congress connected with this subject. The constitutional point, now arising, I do not mean to treat, nor to decide; it is open to others, and will no doubt be discussed by them. But upon the expediency or propriety of including banks and other corporations in this bill, I will say a few words. The state with which I am connected can have as little objection to include banks in the bankrupt bill as any other state. Many persons in Massachusetts, quite respectable and well informed, are in favor of the measure. But it appears to me they have not well considered the practical difficulties. Let us look at what is proposed to be done.

There are eight hundred or a thousand state banks, each with its charter conferring its rights, prescribing its duties, and enjoining penalties. They are banks of deposite, banks of discount, and banks of circulation. It is now generally admitted that they are lawfully created. Their legal existence is established. They comprise, I suppose, two hundred millions of capital. Some of them are founded entirely on private ownership, while in some others the states creating them are proprietors, and in some others again the states are sole proprietors. Some of them have a right to suspend for a limited time, others have not this right, the charter of each being its own constitution.

Such being the general state of things, it is now proposed to subject all these banks to the operation of a bankrupt law, so that when they stop payment for a day or an hour, their property and effects may be seized for distribution among their creditors, and their operations broken up. It is proposed to do this, although the charters of the banks may expressly authorize them to do that very thing, which is an act of bankruptcy, under this bill, and for which their property is to be thus seized. Here is certainly a direct collision between state authority and the authority of the United States, which ought to be avoided whenever it can be. The act of Congress in this case would be made to repeal or annul *pro tanto* the law of the state. I do not say that this can in no case be done; but I say that all such collisions ought to be avoided if possible.

It is proposed that Congress shall prescribe duties to the banks not prescribed by their own charters, and for the violation of those duties thus prescribed by Congress, it is proposed to proceed against them as bankrupts, to sequestrate their effects, and virtually annul their franchises. If this can be done, should it be done, without clear and cogent necessity? Without wishing to represent the proposition as extravagant, or speaking of it with disrespect, it seems to me to be bold, if not rash, until a case of absolute necessity is made out. What would become of the bank stock in case of such seizure and sequestration? What extent of depression and fluctuation would attach to it, when such a law should be passed? What would become of the entire circulation of the country, creditors, and debtors, and of all its business, if a general suspension should happen, and all the banks should be placed in the hands of the Federal Courts, their paper entirely disgraced, and an immediate collection of all their debts attempted to be enforced? What would become of some of the states who own the banks, and of others who derive revenues from them? And how could such immense affairs be administered by the courts of the United States? These difficulties appear to me to be startling. If, indeed, we were quite confident that such a provision would hereafter prevent all general suspensions, we might venture upon the measure. We might expect to be able to deal with here and there an individual case. But this provision is not certain to prevent general suspension in great emergencies or great commercial revolutions. Twice, within a few years, the banks have suspended, notwithstanding the penalties of their own charters, and the laws of their own states. The real truth is, that, in the absence of all regulation or control by Congress, the banks have attempted, and do attempt, regulation by their own concert of action.—They make a law for themselves.

A general suspension is the result of a general concurrence, or of a general conviction of the necessity of suspension, on the part of all the banks, or many of them. This has happened, and in the present state of affairs may happen again, notwithstanding a bankrupt law.—In my opinion, indeed, it is certain to happen, notwithstanding all the bankrupt laws we can pass, until Congress shall do its duty, by enacting prospective and preventive remedies; and if it should happen, one or two things must ensue, either Congress would be called together to repeal the law, or an utter and dead stop would take place in the payment of debts, in the concerns of commerce, and, indeed, in all the business of life.

In addition to the charters, it is to be remembered that several of the states have provisions of their own, founded on their own statutes, for proceeding against failing banks. Such banks are put into commission, or under sequestration, by the state courts, and a judicial administration and settlement of their affairs take place. Is our bankrupt law expected to supersede these state bankrupt laws? Are our courts to dispossess the state courts?

Sir, I will not pursue this subject further. I repeat, that in the part of the country to which I belong, I believe there is a pretty strong disposition to include the banks in the bankrupt law. The people in that quarter apprehend from it no danger to themselves or their own institutions, and they wish to see banks elsewhere coerced, by the most effectual means, to resume and to maintain specie payments. I need not say that they are among the greatest sufferers by the present most ruinous state of things. They pay, and others do not pay them. They cannot long stand the present state of the currency, and, like them, I am ready to take any practical measure, any thing short of convulsive shocks, between state authority and the authority of the United States, to relieve it. But I confess, that, for myself, to say nothing of the constitutional points, I see formidable difficulties in subjecting state banks to forfeiture and destruction by an act of bankruptcy. At any rate, if the banks are to be dealt with in bankruptcy at all, their case would require, obviously, very many peculiar provisions, and they should constitute the subject of a bill by themselves. Such a bill should be prospective, the commencement of its operation deferred, the act of bankruptcy more clearly determined, provisions made to avoid, as far as possible, collision with state authorities, and provisions also for superseding the commission, on resumption of payment, or security given. Various provisions of this kind, as it seems to me, would be essentially necessary.

Leaving this very important part of the case, another question arises upon the proposed amendment. Shall the bankrupt act, in its application to individuals, be voluntary only, or both voluntary and compulsory? It is well known that I prefer it should be both. I think all insolvent and failing persons should have power to come in under its provisions, and be voluntary bankrupts; and I think, too, that, as to those who are strictly merchants and traders, creditors ought to have a right to proceed against them, in the commission of the usual acts of bankruptcy, and subject them to the provisions of the act. But the committee think otherwise. They find many objections to this from many parts of the country, and especially from the West. In a country so extensive, with a people so various, with such different ideas and habits, in regard to punctuality in commercial dealings, great opposition is anticipated to any measure so strict and so penal as a coercive bankruptcy. I content myself, therefore, with what I can get. I content myself with the voluntary bankruptcy. I am free to confess my leading object to be, to relieve those who are at present bankrupts, hopeless bankrupts, and who cannot be discharged or set free but by a bankrupt act passed by Congress. I confess that their case forms the great motive of my conduct. It is their case which has created the general cry for the measure. Not that their interest is opposed to the interest of creditors; still less that it is opposed to the general good of the country. On the contrary, I believe the interest of creditors would be greatly benefited even by a system of voluntary bankruptcy alone, and I am quite confident that the public good would be eminently promoted. In my judgment, all interests concur; and it is the duty of providing relief for these unfortunate insolvents in a manner thus favorable to all interests, which I feel urging me forward on this occasion.

And now, sir, whence does this duty arise, which appears to me so pressing and imperative? How has it become so incumbent upon us? What are the considerations, what the reasons, which have so covered our tables with petitions from all classes and all quarters, and which have loaded the air with such loud and unanimous invocations to Congress to pass a bankrupt law?

Sir, let me remind you, in the first place, that commercial as the country is, and having experienced, as it has done, and experiencing, as it now does, great vicissitudes of trade and business, it is now almost forty years since any law has been in force by which any honest man, failing in business, could be effectually discharged from debt by surrendering his property. The former bankrupt law was repealed December 19, 1803. From that day to this, the condition of an insolvent, however honest and worthy, has been utterly hopeless, so far as he depended on any mode of legal relief. This state of things has arisen from the peculiar provisions of the Constitution of the United States, and from the omission by Congress to exercise this branch of its constitutional power. By the Constitution, the states are prohibited from passing laws impairing the obligation of contracts.—Bankrupt laws impair the obligation of contracts, if they discharge the bankrupt from his debts without payment. The states, therefore, cannot pass such laws. The power, then, is taken away from the states, and placed in our own hands. It is true that it has been decided that, in regard to contracts entered into after the passage of any state bankrupt law, between citizens of the state having such law, and sued in the state courts, a state discharge may prevail. So far, effect has been given to state laws. I have great respect, habitually, for judicial decisions; but it has, nevertheless, I must say, always appeared to me that the distinctions on which these decisions are founded are slender, and that they escape, without answering the great political and commercial objects intended to be secured by this part of the Constitution. But these decisions, whether right or wrong, afford no effectual relief. The qualifications and limitations which I have stated render them useless, as to the purpose of a general discharge. So much of the concerns of every man of business is with citizens of other states than his own, and with foreigners, that the partial extent to which the validity of state discharges reaches is of little benefit.

The states, then, cannot pass effectual bankrupt laws; that is, effectual for the discharge of the debtor. There is no doubt that most, if not all of the states, would now pass such laws if they had the power; although their legislation would be various, interfering, and full of all the evils which the Constitution of the United States intended to provide against. But they have not the power. Congress, which has the power, does not exercise it. This is the peculiarity of our condition. The states would pass bankrupt laws, but they cannot; we can, but we will not. And between this want of power in the states, and want of will in Congress, unfortunate insolvents are left to hopeless bondage. There are probably one or two hundred thousand debtors, honest, sober, and industrious, who drag out lives, useless to themselves, useless to their families, and useless to their country, for no reason but that they cannot be legally discharged from debts, in which misfortunes have involved them, and which there is no possibility of their ever paying. I repeat, again, that these cases have now been accumulating for a whole generation.

It is true they are not imprisoned; but there may be, and there is, restraint and bondage outside the walls of a jail, as well as in. Their power of earning is in truth taken away, their faculty of useful employment is paralyzed, and hope itself becomes extinguished. Creditors, generally, are not inhumane or unkind, but there will be found some who hold on, and the more a debtor struggles to free himself, the more they feel encouraged to hold on. Their mode of reasoning is, that the more honest the debtor may be, the more industrious, the more disposed to struggle and bear up against his misfortunes, the greater the chance is that in the end, especially if the humanity of others shall have led them to release him, their own debts may be finally recovered.

Now, in this state of our constitutional powers and duties, in this state of our laws, and with this actually existing condition of so many insolvents before us, it is not too serious to ask every member of the Senate to put it to his own conscience to say, whether we are not bound to exercise our constitutional duty? Can we abstain from exercising it? The states give to their own laws all the effect they can. This shows that they desire the power to be exercised. Several states have, in the most solemn manner, made known their earnest wishes to Congress. If we still refuse, what is to be done? Many of these insolvent persons are young men, with young families. Like other men, they have capacities, both for action and for enjoyment. Are we to stifle all these, forever? Are we to suffer all these persons, many of them every way meritorious and respectable, to be pressed to the earth, forever, by a load of hopeless debt? The existing diversities and contradictions of the state laws on the subject admirably illustrate the objects of this part of the Constitution, as stated by Mr. Madison; and they form that precise case for which the clause was inserted. The very evil intended to be provided against is before us, and pressing us on all sides. How can we, how dare we, make a perfect dead letter of this part of the Constitution, which we have sworn to support? The insolvent persons have not the power of locomotion. They cannot travel from state to state.—They are prisoners. To my certain knowledge there are many who cannot even come here, to the seat of the Government, to present their petitions to Congress, so great is their fear that some creditor will dog their heels, and arrest them in some intervening state, or in this District, in the hope that friends will appear to save them, by payment of the debts, from imprisonment. These are truths, not creditable to the country, but they are truths. I am sorry for their existence. Sir, there is one crime, quite too common, which the laws of man do not punish, but which cannot escape the justice of God; and that is, the arrest and confinement of a debtor, by his creditor, with no motive on earth but the hope that some friend, or some relative, perhaps almost as poor as himself, his mother, it may be, or his sisters, or his daughters, will give up all their own little pittance, and make beggars of themselves, to save him from the horrors of a loathsome jail. Human retribution may not reach this guilt; human feeling may not penetrate the flinty heart that perpetrates it: but an hour is surely coming, with more than human retribution on its wings, when that flint shall be melted, either by the power of penitence and grace, or in the fires of remorse.

Sir, I verily believe that the power of perpetuating debts against debtors, for no substantial good to the creditor himself, and the power of imprisonment for debt, at least as it existed in this country years ago, have imposed more restraint on personal liberty than the law of debtor and creditor imposes in any other Christian and commercial country. If any public good were attained, any high political object answered, by such laws, there might be some reason for counselling submission and sufferance to individuals. But the result is bad every way. It is bad to the public and to the country, which loses the efforts and the industry of so many useful and capable citizens. It is bad to creditors, because there is no security against preferences, no principle of equality, and no encouragement for honest, fair, and seasonable assignments of effects. As to the debtor, however good his intentions or earnest his endeavors, it subdues his spirits and degrades him, in his own esteem,—and if he attempts any thing for the purpose of obtaining food and clothing, for his family, he is driven to unworthy shifts and disguises, to the use of other persons' names, to the adoption of the character of agent, and various other contrivances, to keep the little earnings of the day from the reach of his creditors. Fathers act in the name of their sons, sons in the name of their fathers; all constantly exposed to the greatest temptation to misrepresent facts and to evade the law, if creditors should strike. All this is evil, unmixed evil. And what is it all for? What good to any body? Who likes it, who wishes it? What class of creditors desires it? What consideration of public good demands it?

Sir, we talk much, and talk warmly, of political liberty, and well we may, for it is among the chief of public blessings. But who can enjoy political liberty if he is deprived, permanently, of personal liberty, and the exercise of his own industry and his own faculties? To those unfortunate individuals, doomed to the everlasting bondage of debt, what is it, that we have free institutions of Government? What is it, that we have public and popular assemblies? Nay, to them what is even this Constitution itself, in its actual operation, and as we now administer that part of it which was intended for cases like theirs? As we administer it, what is its aspect to them, but an aspect of stern implacable severity—an aspect of refusal, denial, and frowning rebuke? Nay, more than that, an aspect not only of austerity and rebuke even, but, as they must think it, of plain injustice also; since it will not relieve them nor suffer others to give them relief. What love can they feel towards the Constitution of their country, which has taken the power of striking off their bonds from their own parental state government, and yet inexorable to all the cries of justice and of mercy, holds it, unexercised, in its own fast and unrelenting clench? They find themselves bondsmen, because we will not execute the commands of the Constitution; bondsmen to debt which they cannot pay, and which all know they cannot pay, which takes away the power of supporting themselves. Other slaves have masters, charged with the duty of support and protection; but their masters neither clothe, nor feed, nor shelter—they only bind.

But, sir, the fault is not in the Constitution. The Constitution is beneficent as well as wise in all its provisions on this subject; but the fault, I must be allowed to say, is in us, who have suffered ourselves quite too long to neglect the duty incumbent upon us. The time will come, sir, when we shall look back and wonder at the long delay of this just and salutary measure. We shall feel, as we now feel, when we reflect on that progress of opinion which has already done so much on another and a connected subject; I mean the abolition of imprisonment for debt. What should we say at this day, if it were proposed to re-establish arrest and imprisonment for debt, as it existed in most of the states, even so late as twenty years ago? I mean for debt alone, for mere pure debt, without charge or suspicion of fraud or falsehood?

Sir, it is about that length of time, I think, since you who now preside over our deliberations, began here your efforts for the abolition of imprisonment for debt; and a better work was never begun in the Capitol. Ever remembered and ever honored be that noble effort! You drew the attention of the public to the question, whether, in a civilized and Christian country, debt, incurred without fraud, and remaining unpaid without fault, is a crime, and a crime fit to be punished by denying to the offender the enjoyment of the light of Heaven, and shutting him up within four walls. Your own good sense, and that instinct of right feeling, which often outruns sagacity, carried you at once to a result to which others were more slowly brought, but to which nearly all have at length been brought, by reason, reflection, and argument. Your movement led the way—it became an example, and has had powerful effect on both sides of the Atlantic. Imprisonment for mere debt, or even arrest and holding to bail for mere debt, no longer exists in England, and former laws on the subject have been greatly modified and mitigated, as we all know, in our states. "Abolition of imprisonment for debt," your own words in the title of your own bill, have become the title of an act of Parliament.

Sir, I am glad of an occasion to pay you the tribute of my own sincere respect for these your labors in the cause of humanity and enlightened policy. For these labors thousands of grateful hearts have thanked you; and other thousands of hearts, not yet full of joy for the accomplishment of their hopes, full rather at the present moment of deep and distressing anxiety, have yet the pleasure to know that your advice, your counsel, and your influence, will all be given in favor of what is intended for their relief in the bill before us.

Mr. President, let us atone for the omission of the past, by a prompt and efficient discharge of present duty. The demand for this measure is not partial or local. It comes to us, earnest and loud, from all classes and all quarters. The time is come when we must answer it to our own breasts if we suffer longer delay or postponement. High hopes, high duties, and high responsibilities concentrate themselves on this measure and this moment. With a power to pass a bankrupt law—that power which no other legislature in the country possesses—with a power of giving relief to many, doing injustice to none, I again ask every man who hears me, if he can content himself without an honest attempt to exercise that power? We may think it would be better to have left the power with the states; but it was not left with the states, they have it not, and we cannot give it to them. It is in our hands, to be exercised by us, or to be forever useless and lifeless. Under these circumstances, does not every man's heart tell him that he has a duty to discharge? If the final vote shall be given this day, and if that vote shall still leave thousands of our fellow citizens and their families in hopeless and helpless distress, to everlasting subjection to irredeemable debt, can we go to our beds with satisfied consciences? Can we lay our heads upon our pillows, and, without self reproach, supplicate the Almighty Mercy to forgive us our debts even as we also forgive our debtors? Sir, let us meet the unanimous wishes of the country, and proclaim relief to the unfortunate throughout all the land. What should hinder? What should stay our hands from this good work? Creditors do not oppose it, they apply for it; debtors solicit it with importunity, earnestness, and anxiety not to be described; the Constitution enjoins it, and all the considerations of justice, policy, and propriety, which are wrapped up in the phrase Public Duty, demand it, as I think, and demand it loudly and imperatively from our hands. Sir, let us gratify the whole country, for once, with the joyous clang of chains, joyous because heard falling from the limbs of men. The wisest among those whom I address can desire nothing more beneficial than this measure, or more universally desired; and he who is youngest may not expect to live long enough to see a better opportunity of causing new pleasures and a happiness long untasted to spring up in the hearts of the poor and the humble. How many husbands and fathers are looking with hopes which they cannot suppress, and yet hardly dare to cherish, for the result of this debate! How many wives and mothers will pass sleepless and feverish nights, until they know whether they and their families shall be raised from poverty, despondency and despair, and restored again to the circles of industrious, independent, and happy life!

Sir, let it be to the honor of Congress that, in these days of political strife and controversy, we have laid aside for once the sin that most easily besets us, and, with unanimity of counsel and with singleness of heart and of purpose, have accomplished for our country one measure of unquestionable good.

From the Fayetteville Observer.

BENTON'S NEW HUMBUG.

In our last we noticed briefly the debate which arose on printing 30,000 copies of a document called for by Mr. Benton, in which that worthy and his noble brother of the Treasury Department, endeavor to *figure away* a former official Report of the same Secretary of the Treasury exposing the outrageous extravagance of the Administration for seven years past. The following is the table which is the foundation of that new effort at humbug.

STATEMENT of expenditures of the United States, from the year 1824 to the year 1839, inclusive, agreeably to a resolution of the Senate of the 24th of April, 1840.

YEARS.	Aggregate amount of all expenditures, of every kind, from the treasury.	Aggregate amount included in the cost of the payments on account of the public debt, whether funded or unfunded.	Aggregate amount for permanent and ordinary purposes, excluding payments on account of objects either extraordinary or temporary.*
	Dolls. cts.	Dolls. cts.	Dolls. cts.
1824	31 898,638 47	15 336,144 71	7,107,892 05
1825	23,585,804 72	11 490 436 24	6,537 671 27
1826	24 103,398 46	13,088,340 27	7 058,878 19
1827	22 656,764 04	12 663,095 65	7 427 195 78
1828	25,459 479 58	13,206,011 [illegible]5	7,788,394 86
1829	29 044,358 40	12,660,460 52	7 503,204 46
1830	24,585,281 86	13 929,533 33	7 624,827 56
1831	30 038,446 18	13 864 067 90	7,679,419 66
1832	34,336 698 06	16,516,388 77	8 562 650 49
1833	24,957,298 49	12 713 758 11	8,827,095 77
1834	25 601 982 34	18,425 417 25	9,667 797 97
1835	17 573,141 56	17,514 950 28	9 157,490 39
1836	30,868,161 04	30,868,161 04	11,688,987 18
1837	37,265 037 15	37,243,214 24	13 698,321 83
1838	39,455 438 35	33 849 718 08	13 837,594 44
1839	37,129 396 80	25,993 797 75	13,325,800 18

* Such as the public debt, trust funds, indemnities, claims of the states for war debts, or three per cents on lands sold, occasional donations in money to objects in the District of Columbia, or otherwise, survey of the coast, taking the census, duties refunded, exploring expedition, and materials collected for the gradual improvement of the navy, including improvements at navy yards, durable public buildings of all kinds, bridges and fortifications, all roads, canals, breakwaters, and improvements in rivers and harbors, arming militia and forts, all pensions, except those to invalids, and the purchases of titles to lands from Indians (Indian department,) the removal of the Indians and the wars, with such other payments as may have been made in those years for property lost, or injuries committed during the hostilities. None of these years or columns include any thing on account of the Post Office department.

The expenditures of 1839 are subject to variation, on the settlement of the Treasurer's accounts for that year, which have not yet reached this office.

T. L. SMITH, *Register.*

Treasury Department,
Register's Office, May 1, 1840.

To this statement is appended another very long one, specifying the amount paid each year, under all the items enu-

merated in the note above, beginning with "public debt, trust funds," &c. The aggregate of all these items, and the third column above, form the aggregates of the first column.

The object of Mr. Benton has been to produce the impression, that the amounts in the 3d column are those which constitute the real expenditures of the government, and not those in the 2d column. By striking out all of what the party calls "extraordinary" expenditures, they wish to bring down the amount to some reasonable sum. In many instances, those "extraordinary" expenditures are more wasteful and corrupt than any others. As an instance of wastefulness, we may cite the N. York custom house, which has been in progress of building for many years, and will cost, in all, about two millions of dollars. That building was commenced during Jackson's reign; and will be finished under Harrison's inspection. Of corrupt expenditures, may be cited the hire of a steamboat in Florida, at $300 a day, the government paying the owner, for a few months hire, more than five times the whole value of the boat. And yet such items as these are put down as extraordinary expenditures, for which the Administration is not held accountable!

But look at these columns. The first year, 1824, is the last of Mr. Monroe's term; 1825 to 1828 inclusive, John Q. Adams's; 1829 to 1837 Gen Jackson's; and the last three years Mr. Van Buren's. From 1824 to 1832, there were payments made on account of the public debt (a debt created during the war with Great Britain)—to the average amount of more than thirteen millions a years. As soon as that debt was paid off, in 1832, the system of extravagance commenced; and the payments from the Treasury in 1833, exclusive of the public debt, swelled at once from 16 to 22 millions.

Look at the first column of the table, and you will find that the payments in the last three years, have actually been greater than in any three years of the time when we were paying more than thirteen millions of dollars a year of debt.

The second column shows the annual amount of expenditures for which the government is *actually responsible* every year. See the enormous sums expended during the last there years. An average of more than thirty-three millions of dollars are required for Mr. Van Buren to carry on the government! And it is idle to tell the people that this, that, and the other amount must be abstracted, because it is appropriated to build an extravagant house, or fit out an extravagant expedition, or to pay party editors their salaries whilst other persons are employed to perform their duties. This is bum bug. The second column contains the actual amount of expenditures exclusive of public debt, and that is the column for which the people should hold the Administration responsible. When we were all battling against Adams, on account of his extravagance, he would have been very willing, doubtless, to have justified himself on the score of "extraordinary appropriations." He would have been ready enough to show, as the third column now states, that he was only liable for seven and a half millions a year; but would his plea have been admitted? Far from it.

But look at the third column. After all the deductions that could be made for "extraordinary expenditures," it actually shows, that Van Buren requires an average sum of nearly thirteen and a half millions of dollars a year, while Adams spent but seven millions four hundred thousand dollars! In other words, after all the art and trickery of making out as fair a showing as possible, Van Buren's Administration costs very nearly twice as much as the extravagant Administration of that old spendthrift, John Quincy Adams!

We must stop; but there is abundant matter for the serious reflection of our readers in this official report.

INDIAN NEWS.

Twenty men killed, two wounded, three Blood Hounds killed, four men missing!

Jacksonville, May 26.

On Wednesday, 20th inst., while a Lieutenant and two men were passing between Micanopy and a place called "Black Point," they were surprised and fired on by a party of Indians; the Lieutenant and one man wounded and one killed. Same evening, Lt. Sanderson, in command of Micanopy, while on a scout with 18 or 20 men, discovered a fire in the woods, and on going to see from whence it proceeded, was surrounded by about 50 Indians. Lt. S. and nine men, three blood hounds and their keeper killed upon the spot, and four men missing. On Friday, news reached Newnansville that three men were killed between Posts No 11 and 12. On Thursday a scout discovered a trail of about 100 Indians, in the "Wolf Hammock," six miles south of Newnansville.

In addition to the above, we have intelligence of 5 men being killed between Picolata and St. Augustine, within six miles of the latter place This happened on Friday, 22d instant. Those killed were two carpenters, belonging to Picolata, who were shot from a public wagon, three actors attached to Mr. Forbes' Theatrical Corps, who were going to St. Augustine to perform. Luckily, however, Mr. Forbes and the actresses had passed some time before.

News has also reached us by the General Clinch, that "Fort Crum." or the settlement where Fort Crum was originally located, was attacked, and all in the settlement killed. This latter intelligence was brought by express to Black Creek, on Saturday the 23d instant, and is no doubt correct.

DISASTROUS FRESHET.

Charleston, May 29

The cars from Hamburg, arrived yesterday, brought no mails from that place or Columbia. From a passenger who came down from Aiken, we learn that a terrible freshet had caused a rise in the Savannah river at Hamburg to such an extent as completely to submerge the town. The upper bridge was carried away about 6 o'clock P. M. on Wednesday, and at 9 o'clock the great bridge connecting Hamburg with Augusta was also destroyed.

There had been no communication with Augusta after 5 o'clock Wednesday afternoon, at which hour the water was said to be from 8 to 10 inches deep at the post office.

The cars from Charleston could not reach within two or three miles of Hamburg, on account of the railroad being overflowed, and it is supposed that the road would sustain considerable injury. The passengers were, however, taken on, and lodged at Mr. Shultz's residence, on the hill.

Mr. Shultz, it is stated, warned the inhabitants of Hamburg, on Wednesday, that it would be advisable to remove to the hill, but his advice was unfortunately not taken, in the belief that his fears were groundless. That gentleman is said to have used every exertion in his power to assist and relieve the sufferers by this awful calamity.

The scene, it is related, was of the most distressing character. Horses, cattle, cotton, and every kind of goods, were floating in all directions. During the night of Wednesday the cries and supplications of the inhabitants were heard from the hill, and fears are entertained that many lives have been lost.

We anxiously await further intelligence from the scene of devastation, and dread the result. Some distance above Augusta, we learn that there are a number of plantations immediately on the bank of the river, and it is feared that the negro houses may have been swept away with their inmates.

We may also look for disastrous accounts from the plantations below, particularly from the rice fields above Savannah.

Since writing the above, we have been kindly favored with a letter from a gentleman in Hamburg, and also a slip from the office of the Cheraw Gazette, noticing a fresh in that place.

Courier.

HILLSBOROUGH.

Thursday, June 11.

A bill to establish a uniform system of bankruptcy, has been for some time under discussion in the Senate of the U. States. It is an important measure, and has many friends among all parties.—That our readers may be made acquainted with the merits of the question, we have, to-day, published the very able and eloquent speech of Mr. Webster on the subject. Its perusal, we are sure, will give pleasure as well as profit to our readers.

A transaction somewhat resembling a fight, took place in one of the passages of the House of Representatives, on the 30th ult., between Mr. Rayner and Dr. Montgomery, both from this state.

The Washington correspondent of the Baltimore Patriot gives the following account of the affray:

Just as the members were leaving the Hall for the daily recess, at half past two o'clock, the affair to which I refer took place. Mr. Rayner had left the Hall with other members and proceeded to the post office of the House. When he reached the door of the office, Mr. Montgomery was coming out of the same. He had a cane in one hand. Mr. Rayner seized the hand of Montgomery which held the cane, and to use a common phrase "slapped his jaws" with his open palm: whereupon Mr. Montgomery, having succeeded in disengaging his hand and stick from the hold of Mr. Rayner, gave him a blow on the shoulder with the stick, which broke. Mr. Rayner returned the blow by striking Montgomery several times with his own cane, in which there was a sword. The sword flew out to a distance of several yards, in consequence of Mr. Rayner having held it by the end—so that, after the first blow, his strokes were made with *half a cane*. They were speedily interrupted, and seperated by the members who were coming out of the Hall. Mr. Rayner turned to those around and said, "I have caned this man because he charged me with falsehood."

Dr. Montgomery's statement of the transaction does not materially differ from the above; only he attempts to create the impression that it was a "cowardly attempt at assassination," because Mr Rayner's cane happened to be a sword cane; whereas it is evident that Mr. Rayner did not intend to inflict any mortal injury, otherwise he would not have used the sword cane in a manner to make it less efficient than a common one.

The cause of this affray grew out of a publication in the Globe, purporting to be a speech delivered by the Hon. William Montgomery in the House of Representatives on the 25th of March last. Mr. Rayner considered the speech as abounding with gross misrepresentations and manifest injustice to himself, and in a communication to the Globe exposed some of the exaggerated statements in the speech; but in making these corrections he referred to the speech as being on the appropriation bill, whereas it was on the treasury note bill. Dr. Montgomery so availed himself of this mistake as entirely to evade Mr. Rayner's charges; and mentioned circumstances to prove that Mr. Rayner was not present when he delivered his speech on the appropriation bill! As Dr. Montgomery had published but *one* speech, and as in that speech he had introduced Mr. Rayner as interrupting him to ask questions, the misapprehension which he manifests must have been wilful, even though Mr. Rayner did mistake the title of the speech. In a second communication to the Globe, Mr. Rayner exposes this subterfuge, and reiterates his charges of misrepresentation; but acknowledges his mistake in referring to the speech as being on the appropriation bill, instead of the treasury note bill. Dr. Montgomery again appeared in the Globe, and taking advantage of this acknowledged mistake, says that Mr. Rayner "admits all he had stated to be true!" Dr. Montgomery's letter contained also many other things not very well calculated to smooth an irritated temper; and hence it was that the affair occurred in the house on the following morning—an affair certainly to be regretted, however gross may have been the provocation.

We have not yet been able to obtain a copy of Dr. Montgomery's published speech; but from what we have heard of it, we are constrained to believe that Mr. Rayner spoke truly when he said that it contains many things that were not delivered in the house. We are confirmed in this belief by an extract from the speech which appears in the last Raleigh Register. The extract speaks of Charles Manly, esq, of Raleigh, as "one of the Whig Harrison electors," and says that he "is canvassing the district by speeches of the lowest abuse against the administration."

Now by referring to dates, it appears that Mr. Manly was nominated by a convention of delegates which assembled at Smithfield on the afternoon of the *24th of March*. Dr. Montgomery's speech was delivered at Washington on the following day, the *25th of March;* it was impossible, therefore, that he could have known of Mr. Manly's nomination at Smithfield, three hundred miles distant; much less that he was *canvassing* the district and delivering speeches. It appears, then, that the Hon. gentleman asserted on the 25th of March what he did not know to be true, or that this part of the speech at least was written after the main speech was delivered.

A correspondent in Mocksville, in a letter to the Carolina Watchman, gives an account of a large and respectable meeting of the citizens of Davie, which assembled at that place on the 26th ult. at which great enthusiasm and zeal were manifested. Addresses were delivered by Messrs. Jones and Ribelin, and Dr. Burns; Dr Williams, the other Whig candidate, was absent on professional business. Two of the Van Buren candidates were on the ground, but made no attempt at a reply. The writer concludes with saying: "There is no mistake in Davie. The Harrison cause is overwhelmingly triumphant. I will not venture to guess at the majority, *for fear of being under the mark.*"

Mr. R. Nail, who was appointed by the Van Buren party as one of their committee of vigilance for Davie county, has published a note in the Carolina Watchman, in which he declines the honor. He says he is no partizan, but nevertheless declares it to be his opinion that "we must either take General Harrison or *General ruin.*"

We have seen it stated that a gentleman just from Vicksburg, who had been over a great portion of the country in the vicinity of that city, states that five out of every six of the cotton farms are now vacated, and lying a barren waste—farms too, which but a year or two ago, were worth from 10,000 to $50,000.

It is also said that there were 2,000 cases on the docket of the United States Circuit Court for the Southern District of Mississippi which recently commenced its session at Jackson.

Adjournment of Congress.—In the Senate, yesterday, Mr. Sevier, of Arkansas, moved to take up a resolution designating a day certain for closing the present session of Congress. The motion was rejected by a considerable majority. In the conversation which took place on the subject, several Senators expressed the opinion that, in the present condition of the public business before the National Legislature, it would be improper to fix upon any particular day. The state of our relations with Great Britain, on the question of the North Eastern Boundary, was also referred to as an additional reason for postponing the resolution for the present. *Madisonian.*

Natchez.—We learn from the New Orleans Bee that the Steamboat *Einds.* which was wrecked during the tornado at Natchez, has been picked up at Baton Rouge, having fifty-one dead bodies on board—forty-eight of whom were males, two females and one child.

Killed and wounded in Natchez—The Natchez Courier gives the following report of the number killed and wounded at that place by the tornado:

Killed in Natchez,	48
Killed on the River,	269
	317
Wounded in the City,	74
Wounded on Boats,	35
	109

The Mayor of Baltimore has offered a reward of one thousand dollars for the apprehension and conviction of the murderer of Thomas H. Laughlin.

Twenty-Sixth Congress.
FIRST SESSION.

IN SENATE.

Thursday, May 28.

The bill authorizing the states to tax any lands within their limits sold by the United States, was taken up for consideration. Hitherto these lands have been exempt from taxation for five years after the sale; this bill is to rescind that exemption. The debate was continued until the expiration of the morning hour.

The bankrupt bill was then again taken up; and after some debate, the question was taken on Mr. Strange's first amendment, extending the operation of the act to all classes of persons, and decided in the affirmative—yeas 37, nays 3.

Mr. Strange's second amendment, giving preference alone to the United States, was, after some debate, agreed to without a division.

Friday, May 29.

A joint resolution reported from the committee of foreign relations, authorizing the President to receive the presents from the Imaum of Muscat, and the lion and lioness from the Emperor of Morocco, was ordered to be engrossed.

The bankrupt bill was considered, farther amended, and then postponed until Monday. After an executive session the Senate adjourned to Monday.

Monday, June 1.

Mr. Wright presented the memorial of the Board of Trade of the city of New York, on the subject of the bills of bankruptcy now before the senate. The memorial contained some important suggestions, and it was ordered to be printed and laid on the table.

The bankrupt bill was again taken up, and some amendments made.

Mr. Clay of Alabama, moved to strike out all that part of it relating to banking institutions, and made a few remarks in favor of the motion.

Mr. Calhoun said this motion was very vital to the question, and at his request, (he wishing to speak,) the action on the bill was suspended, and the senate adjourned.

Tuesday, June 2.

The Hon. Jabez W. Huntington, senator from Connecticut for the unexpired term of the late Mr. Betts, was qualified and took his seat.

After the consideration of some less important matters, the bankrupt bill was again taken up; the question being on the motion of Mr. Clay of Ala. to strike out all relating to banks.

Mr. Calhoun expressed his views at large, and said he should vote for striking out. The question was then taken on the motion, and it was decided in the affirmative—yeas 28, nays 16. So all that part relating to banks was stricken out.

Mr. Crittenden now moved to refer the bill to a select committee. Mr. Webster spoke briefly in favor of this motion, in order that the compulsory clause might be modified before the final vote upon it.

Mr. Grundy and Mr. Clay of Ky. spoke in favor of first taking the question on the admission of the principle of compulsion at all into the bill, and Mr. Clay moved to strike out all the compulsory portion of the bill.

On motion of Mr. Wright the senate then adjourned

Wednesday, June 3.

Great part of the day was spent in receiving reports from committees and memorials; and after an executive session, the senate adjourned.

HOUSE OF REPRESENTATIVES.

Thursday, May 28.

The morning hour was occupied in the discussion of a question of order in relation to a report from the committee of commerce on the pilot law.

The sub-treasury bill was then taken up in committee of the whole, and Mr. Lovell continued his remarks in favor of the bill.

Friday, May 29.

The discussion on the question of order relative to the report from the committee of commerce on the pilot law was continued.

The house was occupied during the remainder of the day in the consideration of private bills.

Saturday May 30.

The question of order was still farther debated; after which the report of the committee was received. A motion was then made to recommit the bill, but before any decision was had, the hour expired, and the house passed to the orders of the day, which was the consideration of private bills. In the evening session nothing was done for the want of a quorum.

Monday, June 1.

Mr. Waddy Thompson made an earnest appeal to the house to take up the bill for the armed occupation of Florida; but the rules were not suspended.

The motion to reconsider the vote taken on Saturday in relation to the bill repealing the pilot law, after some time spent in debate, was decided in the negative—yeas 84, nays 108.

The evening session was spent in somewhat disorderly proceedings upon a resolution offered by Mr. Smith of Maine, so far to change the 127th rule of the house, as that the house may, at any time, by a vote of a majority of the members present, suspend the rules and orders of the house for the purpose of going into committee of the whole on the state of the Union. The resolution was finally adopted by a vote of 119 to 85.

Tuesday, June 2.

After the expiration of the morning hour, the sub-treasury bill was taken up in committee of the whole, and Mr. Leet of Pa. addressed the committee in favor of the bill.

In the evening session, Mr. Brockway of Connecticut, spoke in opposition to the bill, and Mr. Cartman of N. Hampshire in support of it.

Wednesday, June 3

The bill to amend an act to authorize the state of Tennessee to issue grants and perfect titles to certain unappropriated lands within her limits, was committed to a committee of the whole.

The morning hour having expired, the sub-tresaury bill was taken up in committee of the whole, and Mr. Osborne addressed the committee. Mr. Hunt of New York, then took the floor.

In the evening session Mr. Hunt concluded his remarks, and the floor was given to Mr. H. Williams of Miss.

THE MARKETS.

	Raleigh, June 5.		
Flour,	4 50	a	5 00
Corn,	0 50	a	0 00
Cotton,	0 7	a	0 08
	Fayetteville, June 3.		
Bacon,	00 05	a	00 07½
Beeswax,	00 23	a	00 25
Coffee,	00 12½	a	00 13½
Cotton,	00 6	a	00 08
Corn,	00 65	a	00 60
Flaxseed,	1 00	a	0 90
Flour,	4 00	a	5 00
Feathers,	00 40		
	Wilmington, June 1.		
Flour,	4 50	a	5 50
Rice, 100 lbs.	2 75	a	3 00
Salt, bushel,	00 48	a	00 50
" sack,	1 62	a	01 75
Sugar,	00 7½	a	00 10
	Petersburg, June 4.		
Cotton,	00 06½	a	00 08½
Wheat,	0 00	a	1 00
Tobacco,	3 60	a	6 75

Obituary.

Died, in this county, on Saturday the 30th ultimo, Mrs. ELIZABETH PEACOCK, wife of Mr. Richard Peacock.

Weekly Almanac.

JUNE.	Sun rises	Sun sets.	MOON'S PHASES. D. H. M.
11 Thursday,	4 48	7 12	
12 Friday,	4 48	7 12	
13 Saturday,	4 48	7 12	
14 Sunday,	4 48	7 12	
15 Monday,	4 47	7 13	
16 Tuesday	4 47	7 13	
17 Wednesday	4 47	7 13	New 6 8 1 after. First 15 9 23 after. Full 22 6 15 after. Last 29 8 42 morn

FEMALE SCHOOL,
IN HILLSBOROUGH.

THE Fall Session of Mr. and Mrs. BURWELL's School will commence on Monday the 13th of July.

Multiplied studies, which must necessarily be superficial, are avoided; and though the higher branches of female education are not neglected, when the pupil *is prepared for them*, greater attention is paid to Spelling, Reading, English Grammar, Geography, Writing, Composition and Arithmetic.

Terms—English Studies,	$17 50
French (by a native,)	25 00
Music,	25 00
Drawing and Painting,	10 00

Parents and Guardians wishing further information are referred to

Hon. Frederick Nash, Dr. James Webb, John W. Norwood, esq.	Hillsborough.
Hon. W. P. Mangum, William Cain, esq.	Orange.
Rev. Drury Lacy,	Raleigh.
Rev. Frederick Nash,	Lincolnton.
Samuel Simpson, esq John M. Roberts, esq	Newbern.

June 5. 25—

☞ The Raleigh Register and Standard, Newbern Spectator, and Western Carolinian, will publish once a week for three weeks, and forward their accounts.

Hillsborough Academy.

THE Fall Session will begin on Thursday the 16th of July. This being the commencement of the academic year, a class of beginners will be received.

W. J. BINGHAM,
JOHN A. BINGHAM.

Assisted by A. C. LINDSEY, and S. W HUGHES; the former of whom devotes a portion, and the latter the whole of his time to the English department.

Tuition, as heretofore, payable in advance.

June 6 25—

☞ The Raleigh Register, Star and Standard will publish once a week for five weeks, and forward their accounts.

Fairfield School.

THE second session of this school (six miles north west of Hillsborough,) will commence on the sixth of July.

Price of tuition, for the Rudiments of English $5 00 per session; for English Grammar and Geography, $7 50; Ancient Languages, $12 50

Board can be had at from six dollars to seven and a half per month

JAMES P. CLARK.

June 10. 25

☞ Raleigh Register and Standard once week for two weeks.

Notice—Taxes.

I SHALL attend at the following times at places for the purpose of collecting the Ta. due for the year 1839, to wit:

On Monday, 6th July, at Jesse Durham's.
Tuesday the 7th, at John Newlin's.
Wednesday the 8th, at Ruffin's Mills.
Thursday the 9th, at Michael Albright's.
Friday the 10th, at Mrs. Long's.
Saturday the 11th, at Michael Holt's.
Monday the 13th, at John S. Turrentine's.
Tuesday the 14th, at George Faucett's.
Wednesday the 15th, at Chesley F. Faucett's
Thursday the 16th, at James Hutcheson's.
Friday the 17th, at Gabriel B. Lee's.
Saturday the 18th, at Mason Hall.
Monday the 20th, at Hillsborough.
Tuesday the 21st, at Chapel Level.
Wednesday the 22d, at Mrs McKee's.
Thursday the 23d, at Abner Parker's.
Friday the 24th, at William Lipscomb's.
Saturday the 25th, at Harris Wilkerson's.
Monday the 27th, at Zachariah Trice's.
Tuesday the 28th, at Herndon's old store.
Wednesday the 29th, at Wm. Trice's store.
Thursday the 30th, at Chapel Hill.
Friday the 31st, at Thomas Long's.

☞ The Magistrates appointed to receive the list of Taxes for 1840 will attend in their respective districts at the times and places above mentioned.

JAMES C. TURRENTINE, *S. C.*

June 10. 25—

Attention!
TOWN COMPANY.

YOU are hereby commanded to attend at at the Court-house in Hillsborough, on the 4th day of July next, at 11 o'clock, armed and equipped as the law directs, for drill muster and court martial. Each private will prepare himself with six rounds of powder.

By order of the Captain.

CHARLES S. WARREN, *O. S.*

June 10. 25—

STATE OF NORTH CAROLINA.
Orange County.

Court of Pleas and Quarter Sessions, May Term, 1840.

James Whitsill v. *Joseph Freeland.*

Original Attachment.

IT appearing to the satisfaction of the Court, that Joseph Freeland, the defendant in this case, is not an inhabitant of this state; It is therefore ordered, that publication be made in the Hillsborough Recorder, for six successive weeks, for said defendant to be and appear before the Justices of our Court of Pleas and Quarter Sessions, to be held for the county of Orange, at the court house in Hillsborough, on the fourth Monday in August next, and then and there replevy or plead to issue, or judgment *pro confesso* will be entered against him.

JOHN TAYLOR, *Clerk.*

Price adv. $4 50. 25—6w

Wool Carding.

THE subscriber has his Wool Carding Machine in good order, and desires his customers to bring their wool clean, that they may have good work.

C. W. JOHNSTON.

June 3. 24—

Methodist Protestant Camp Meetings.

CAMP meetings will be held at the following places, viz:

At Smithfield, Chatham county, commencing on the 25th July.

At Giles's School House, Randolph, on the 22d August.

At Tabernacle, Guilford, on the 19th September.

At Mount Hermon, Orange, on the 26th September.

Brethren and friends are respectfully invited to attend.

THOS. J. CARTER.

May 27. 23—

Moffat's Life Pills,
AND
PHŒNIX BITTERS.

☞ A FRESH SUPPLY. ☜

Just Received and for Sale at this Office.

May 19. 22—

THE SOUND OF THE SEA.

BY MRS. HEMANS.

Thou art sounding on, thou mighty sea,
For ever and the same!
The ancient rocks yet ring to thee,
Whose thunders naught can tame.
Oh! many a glorious voice is gone,
From the rich bowers of earth,
And hushed is many a lovely one,
Of mournfulness or mirth.

The Dorian flute that sighed of yore
Along thy wave, is still;
The harp of Judah peals no more
On Zion's awful hill.
And Memnon's lyre hath lost the chord
That breathed the mystic tone,
And the songs at Rome's high triumphs pour'd,
Are with her eagles flown.

And mute the Moorish horn that rang
O'er stream and mountain free;
And the hymn the leagued crusader's sang
Hath died in Galilee.
But thou art swelling on, thou deep,
Through many an olden clime,
Thy billowy anthem, ne'er to sleep,
Until the close of time.

Thou liftest up thy solemn voice
To every wind and sky,
And all on earth's green shores rejoice
In that one harmony.
It fills the noontide's calm profound,
The sun-set's heaven of gold;
And the still midnight hears the sound,
Even as when first it rolled.

Let thine be silence, deep and strange,
Where sceptred cities rose!
Thou speak'st of one who doth not change—
So may our hearts repose.

A TRUE STORY.

In a town some fifty miles from Boston, the members of a religious society were in the practice of holding conference meetings in the church, at which they made a kind of audible confession, technically called recounting one's "experience." A very pious member of the church, Mr. D——, was in the habit of inviting his neighbor L——, who was not a member, to attend these meetings, at one of which Mr. D—— got up and stated to the congregation that he was a great sinner—that he sinned daily, and with his eyes open—that he wilfully and knowingly sinned—that goodness dwelt not in him—that he was absolutely and totally depraved—that nothing but the boundless mercy and infinite goodness of God could save him from eternal damnation. After this confession of Mr. D——, Mr. L——, who had by accident been placed upon the "anxious seat," was called upon to recount his "experience." He arose, and with most imperturbable gravity, stated that he had very little to say of himself, but the brethren would remember that he had lived for five and twenty years the nearest neighbor of Mr. D——; that he knew him well, more intimately so than any other man, and it gave him great pleasure, because he could do it with entire sincerity, *to confirm the truth of all brother D—— had confessed of himself.* When Mr. L—— sat down under the visible and audible smile of the whole congregation, the parson not excepted, Mr. D—— went up to him and said "You are a rascal and a liar, and I'll lick you when you get out of church." *Boston Post.*

Conclusive Argument—Soon after the Copernican System of Astronomy began to be generally understood, an old Connecticut farmer went to his parson with the following inquiry—"Doctor T., do you believe in the new story they tell of the earth moving round the sun?" "Yes, certainly." "Do you think it is according to Scripture? If it's true, how could Joshua have commanded the sun to stand still?" "Umph!" quoth the doctor, no whit puzzled. "Joshua commanded the sun to stand still, did he?" "Yes." "Well, it *stood still*, did it not?" "Yes." "Very well. Now did you ever hear that he *set it agoing agin?*"

Notice.

THE undersigned having qualified as administrator on the estate of Edmund Herndon, deceased, requests all persons indebted to said estate, either by note or account, to make immediate payment; and those having claims against the same, to present them for settlement within the time prescribed by law, otherwise this notice will be plead in bar of their recovery

WM. NICHOLS, *Adm'r.*

May 27. 93—

Stray.

TAKEN up by Anderson Cheek, living one mile east from Chapel Hill, and entered on the Stray Book of Orange county on the 28th of February last, a sorrel scuball Horse, four feet ten and a half inches high, about nine years old, legs all white to the knee, right eye weak, and a white spot in the left eye.

JOHN A. FAUCETT, *Ranger.*

May 19. 23—3w

Job Printing,

EXECUTED AT THIS OFFICE.

NEW Spring and Summer GOODS.

WE beg leave to tender our thanks to our friends and patrons, for former favors, and have the pleasure to inform them that we are now receiving from New York, a good assortment of Goods, which will be sold on terms suited to the times. Persons wishing to purchase are invited to examine our selection.

OUR STOCK COMPRISES

Superior wool-dyed Black CLOTHS.
Do. do. Blue do.
Do. do. Invisible Green do.
Cassimeres, Vestings, and Linen Drillings,
Brown and Irish Linens,
Thread and Cotton Diapers,
Silks, Shalleys, and Printed Muslins,
Handkerchiefs, Scarfs, and Worked Collars,
French, English, and American Prints,
Florence, and Straw Braid Bonnets,
Hoods, and Palm Leaf Hats,
Bonnet Ribbons, Laces, &c. &c.
Brush and Beaver Hats.

ALSO,

Hardware and Cutlery,
Glass, Queensware, Crockery, and Stone Ware,
Turkey Red and Cotton Yarn,
Molassees, Loaf and Brown Sugar,
Coffee, Chocolate, Sperm and Tallow Candles,
Mace, Cloves, Ground and Race Ginger,
Powder, Shot, Nails, Window Glass,
&c. &c. &c. &c. &c.

And many other articles too numerous to mention. *CALL AND SEE.*

PARKER & NELSON.

May 13. 21—

Carding Wool.

THE subscriber's Machines are in good order for the despatch of business; and if the Wool is well cleaned and brought early, the carding will be well done.

THOS. W. HOLDEN.

Enoe Mills,
five miles east of Hillsborough. 22—

Mail Arrangements.

PERSONS wishing to send letters by either of the Mail Stages, are requested to put them in the office before six o'clock in the evening, as the mail will be closed at that time.

THOS. CLANCY, *P. M.*

May 6. 20—

SALT.

THE subscribers have just received a quantity of Liverpool and Ground Allum SALT, for sale by the sack or bushel.

PARKER & NELSON.

September 4. 36—

STATE OF NORTH-CAROLINA,
Person County.

Court of Pleas and Quarter Sessions, March Term, 1840.

The Petition of Burgess Walker, Hardy Walters, administrator of Thomas H Allen, deceased, and Thomas Gill, executor of John Gill, deceased, plaintiffs,

against

Robert Jones, administrator with the will annexed of William Allen, sen. deceased. Howard Allen, Grant Allen, William Allen, William Allen, executor of Joseph Allen deceased, Absalom Guthrie and Rebecca his wife, Reuben Kennon and Hannah his wife and William Kennon and Nancy his wife, defendants.

Petition for settlement.

IT appearing to the satisfaction of the Court, that the defendants Howard Allen, Grant Allen, William Allen, William Allen, executor of Joseph Allen, deceased, Absalom Guthrie and Rebecca his wife, and William Kennon and Nancy his wife, are not inhabitants of this state; It is therefore ordered that publication be made for six successive weeks in the Hillsborough Recorder, that the said defendants appear at the next Court of Pleas and Quarter Sessions, to be held for the county of Person, at the court house in Roxborough, on the third Monday of June next, and then and there to plead, answer or demur to said petition, otherwise the same will be taken *pro confesso*, and heard *ex parte* as to them

Witness Charles Mason, clerk of said Court, at office, the third Monday in March, 1840.

CHARLES MASON, *Clerk.*

Price adv $6 50. 18—6w

STATE OF NORTH CAROLINA,
Person County.

Court of Pleas and Quarter Sessions, March Term, 1840.

Abner Parker vs. Moses Cash,	}	Justice's execution levied on land.
Moses Chambers vs. Moses Cash.	}	Justice's execution levied on land.
Same vs. Same.	}	Justice's execution levied on land.
Same vs. Same.	}	Justice's execution levied on land.
Benjamin Hester vs. Moses Cash.	}	Justice's execution levied on land.
Merrell Sweany vs. Moses Cash.	}	Justice's execution levied on land.

IT appearing to the satisfaction of the Court that Moses Cash, the defendant in the above cases, is not an inhabitant of this state; It is therefore ordered, that publication be made in the Hillsborough Recorder, for six successive weeks, for said defendant to be and appear before the Justices of our Court of Pleas and Quarter Sessions, to be held for the county of Person, at the court house in Roxborough, on the third Monday in June next, and then and there plead to issue, or the land levied on will be condemned to satisfy the plaintiffs' demands.

Witness Charles Mason, Clerk of said Court, at office, the third Monday of March, 1840.

CHARLES MASON, *Clerk.*

Price adv. 18—6w

Valuable Property FOR SALE.

ONE of the finest and best improved farms in the western country, is now offered for sale. It is situated eight miles west of Murfreesborough, immediately on the road leading to Franklin, in Williamson county; and is the main road leading from the Eastern to the Western country.

The farm has on it a Dwelling House, inferior to none in the country for convenience, room and appearance, and is well suited for a house of entertainment; together with every other building I have ever found to be convenient or useful on a farm, viz. a large Barn, Stables, and Corn Cribs, two Lumber Houses, two Smoke Houses, a Wash House, Spinning and Weaving House, Carriage House, a large and well constructed Gin House, Ice House, and a Cook House attached very conveniently to the dwelling, and others not mentioned; all of which, with but one exception, are built of Cedar. The water never fails, and is of the very best quality. And above all, it is considered one of the healthiest situations to be found in the country.

There is also a good Garden and Orchard, containing a great variety of excellent fruit, such as Apples, Peaches, Pears, Quinces, Plums, Cherrys Grapes, Raspberries Strawberries &c. affording fruit nearly *all the year.*

There are something upwards of 400 acres of land in the tract with about 220 cleared, and 180 acres of Woodland, fenced and partly set in Grass.

The land is nearly all under the best kind of Cedar fence, and in a high state of cultivation and well adapted to the production of either Corn, Cotton, Tobacco, or small grain of every description, and might be converted into an excellent stock farm. And should it not be large enough to suit any purchaser, there is for sale and adjoining a tract of land containing about 600 acres with 300 cleared, good dwelling house and good water. I will also sell some of my stock of Cattle and Hogs which I have been improving for nearly twenty years, and think them to be as good as any in the country; my stock of Horses and Sheep will also be for sale. Also, many other conveniences for carrying on a farm. So that the purchaser might immediately place himself in a situation for making money.

I would refer any persons for more particular information relative to this very valuable farm to Col. E. H. Foster, Mr. Wm. Nichol, or Rev. F E Pitts, of Nashville or to any gentleman in Murfreesborough; all of whom are well acquainted with it. It is presumed any persons wishing to purchase will of course examine the premises, when they can learn the terms, which will be liberal

JOHN LYTLE.

Murfreesborough, Tenn } April 1840. } 20-3m

A Teacher Wanted.

A GENTLEMAN well qualified to teach the languages usually taught in Academies, would be employed in this neighborhood; and good wages will be given.

T. T. TWITTY,
JOHN DALY.
ALEX'R. HALL.

Ridgeway, Warren co., N. C. } April 25, 1840. } 12—6w

Notice.

FOUND more than twelve months since a small pocket wallet, containing money. The wallet had marked on it "for charitable purposes." For further information apply at this office.

April 5. 20—

Flour, Meal & Bacon,

For Sale, by

J. J. FREELAND.

May 6. 20—

Cast Iron Ploughs.

STEPHEN MOORE has on hand for sale, PLOUGHS of various sizes, with extra Points, &c. from the factory of C. H. Richmond, near Milton, N. C.

The following certificates will show the estimation in which they are held by some of our best farmers.

CERTIFICATES.

We have, for the last six or eight years, been using the Cast Iron Plough, introduced into this state and Virginia by *Avery & Richmond*, and have no hesitation in saying, that we consider it superior to any other in use in our country, for its easy draught, facility of turning the soil, and its general utility as to performance, and the small expense of the cast point, which we think preferable, on account of its convenience and trifling cost, to any other kind of point we have ever used.

WARNER M LEWIS, Caswell county.
STEPHEN DODSON, do do
GEO. W. JEFFREYS, Person do
WILLIAM IRVINE, do do

I have for several years been in the habit of using the above Ploughs, and have no hesitation in saying, that they answer my purpose exceedingly well.

THOMAS M'GEHEE, Person county.

October 10. 92—

Choice Liquors, &c.

JUST RECEIVED from New York, and for sale by the subscriber,

Superior Cogniac Brandy,
" Holland Gin,
" Jamaica Rum,
Madeira, Port, Malaga, Muscal, Claret, } Wines, of very superior quality.
London Brown Stout
Pale Ale,
Irish Whiskey,
Lemon Syrup,
Lime Juice,
Lump Sugar.

☞ The subscriber will keep constantly on hand, for sale, well made CARRYALLS and Large and Small ROAD WAGON.

THOS. D. CRAIN.

August 7. 82—

Notice.

THE subscriber having been qualified as executor of WILLIAM SMITH dec'd at Guilford County Court February Term, 1839, requests all persons having claims against said Smith's estate, to present the same for payment.

JAMES SLOAN.

Greensborough May 1, 1840. 20—

Family Flour.

THE subscribers have in store, and for sale, a good article of FAMILY FLOUR.

PARKER & NELSON.

February 19. 89—

Union Academy, OF ORANGE.

THE exercises of this school will close for the present session on the 13th of June, and will be resumed on the 13th of July, for the Fall Session. The terms, for board and tuition, will be the same as heretofore.

Tuition in the preparatory collegiate course, per session, $12 50
In the English, 7 50

Board can be had in respectable families at six dollars per month.

The subscriber deems it unnecessary to burden the public with a tedious advertisement, setting forth the local advantages, and the usual et ceteras of a school notice; but is willing to base his claims to patronage on the proficiency of his scholars alone.

He would be glad that those who design sending their sons, would do so at an early stage of the session.

JOHN R. HOLT.

Orange county, May 15. 22—8w

*** The Raleigh Star and Register, Southern Citizen, and Greensborough Patriot, will each insert until the 13th of July, and forward accounts to this office.

Junto Academy.

THE Spring session of Junto Academy will close on Friday the 12th June, and the Fall session will commence on July the 13th.

Price for tuition as heretofore, viz: English Department $8 per session; Classical Department $12 50.

Good board can be had in the neighborhood at $6 per month. The subscriber is prepared to accommodate twenty students with board at $7 50 per month, exclusive of candles and mending.

DANIEL W. KERR, *Principal.*

May 27. 23—

☞ The Raleigh Star, Standard, Register, and Omnibus will insert once every two weeks, three insertions.

CALL AND SEE!

NEW

Spring and Summer GOODS.

JAMES WEBB, Jr. & CO.

WOULD respectfully inform the public, that they have just received from New York and Philadelphia, a fine assortment of Goods suited to the season; consisting in part of

Cloths, Cassimeres, Vestings, &c.
Silks, Muslins, Calicos, &c.
Hats, Bonnets, Shoes, &c.

embracing all articles usually brought to this market; all of which they will sell low for Cash, or on a short credit to *punctual* dealers, and punctual dealers only.

Having been engaged for some time in dealing with the people of the town and county, under the firm of O. F. Long & Co. it is deemed unnecessary to say more than to make this simple announcement.

J. W. jr. & Co. return their thanks to the public, for the very liberal share of patronage extended to them since they commenced business.

April 22. 18—

NEW WATCHES, Jewellery and Fancy Articles.

Lemuel Lynch, respectfully announces to his friends and the public generally, that he has just received an elegant assortment, consisting, in part, of the following articles:

Gentlemens' Gold LEVERS, plain and extra jeweled.
Ladies' ditto.
Silver Levers, English and French Watches.
Long-linked Gold Watch Chains, with and without seals,
Fine Gold Guard Chains.
Gold Seals and Keys.
Miniature Cases.
A rich assortment of Breast Pins, Finger Rings, and Ear Rings.
Small Miniature Paintings on Ivory, and Enamelled Paintings.
Silver ever-pointed Pencil Cases.
Silver Spectacles, plated and steel, assorted.
Butter Knives, and Gold Collar Buttons.
Silver, Steel, and Gilt Watch Chains and Keys.
Shell and Tin Musick Boxes.
Fine Rodgers' and Wostenholm's Knives and Scissors, of the best quality.
Silver Thimbles, Money Purses, and Pocket Books
Silver and Gilt Pens, Tooth and Hair Brushes.
Silver Plated Candle Sticks, Snuffers and Trays.
Brittannia Ware, Mantle Clocks, and Pistols.

Being permanently located in Hillsborough, and having a fresh and large supply of watch materials, he is prepared to repair watches of any description, in the best and most durable manner, and will warrant watches repaired in every case twelve months. Orders punctually attended to.

LEMUEL LYNCH.

October 23. 93—

Notice.

I WOULD respectfully request those indebted to me to call and settle their accounts.

LEMUEL LYNCH.

October 23. 93—

STATE OF NORTH-CAROLINA,
Orange County.

Superior Court of Law—March Term, 1840.

Robert M'Culloch v. *Margaret M'Culloch* } Petition for Divorce.

IT appearing to the satisfaction of the Court, that Margaret M'Culloch, the defendant in this case, is not an inhabitant of this state; It is therefore ordered by the Court, that publication be made in the Hillsborough Recorder, Raleigh Standard, for three months, that the defendant appear at the next Superior Court to be held for the county of Orange, at the court-house in Hillsborough, on the second Monday of September next, to answer, plead or demur to the petition in this case; otherwise judgment pro confesso will be taken against her.

J. H. NORWOOD, *Clerk.*

Price adv. $7 00 18 3m

Moffat's Vegetable Life Medicines.

THESE Medicines are indebted for their name to their manifest and sensible action in purifying the springs and channels of life, and enduing them with renewed tone and vigor. In many hundred certified cases which have been made public, and in almost every species of disease to which the human frame is liable, the happy effects of MOFFAT'S LIFE PILLS and PHŒNIX BITTERS have been gratefully and publicly acknowledged by the persons benefitted, and who were previously unacquainted with the beautifully philosophical principles upon which they are compounded, and upon which they consequently act.

The LIFE MEDICINES recommend themselves in diseases of every form and description. Their first operation is to loosen from the coats of the stomach and bowels, the various impurities and crudities constantly settling around them, and to remove the hardened fæces which collect in the convolutions of the small intestines. Other medicines only partially cleanse these, and leave such collected masses behind as to produce habitual costiveness, with all its train of evils, or sudden diarrhœa, with its imminent dangers. The fact is well known to all regular anatomists, who examine the human bowels after death; and hence the prejudice of these well informed men against quack medicines, or medicines prepared and heralded to the public by ignorant persons. The second effect of the Life Medicines is to cleanse the kidneys and the bladder, and by this means the liver and the lungs, the healthful action of which entirely depends upon the regularity of the urinary organs. The blood, which takes its red color from the agency of the liver and the lungs before it passes into the heart, being thus purified by them, and nourished by food coming from a clean stomach, courses freely through the veins, renews every part of the system, and triumphantly mounts the banner of health in the blooming cheek.

Moffat's Vegetable Life Medicines have been thoroughly tested, and pronounced a sovereign remedy for Dyspepsia, Flatulency, Palpitation of the Heart, Loss of Appetite, Heartburn and Headache, Restlessness, Ill temper, Anxiety, Languor and Melancholy, Costiveness, Diarrhœa, Cholera, Fevers of all kinds, Rheumatism, Gout, Dropsies of all kinds, Gravel, Worms, Asthma and Consumption, Scurvy, Ulcers, inveterate Sores, Scorbutic Eruptions, and Red Complexions, Eruptive complaints, Sallow, Cloudy and other disagreeable Complexions, Erysipelas, Salt Rheum, Common Colds and Influenza, and various other complaints which afflict the human frame. In Fever and Ague, particularly, the Life Medicines have been most eminently successful; so much so that in the Fever and Ague districts Physicians almost universally prescribe them.

All that Mr. Moffat requires of his patients is to be particular in taking the Life Medicines strictly according to the directions. It is not by a newspaper notice, or by any thing that he himself may say in their favor, that he hopes to gain credit. It is alone by the results of a fair trial

Moffat's Medical Manual;

designed as a Domestic Guide to Health—This little pamphlet, edited by Wm. B. Moffat, 375 Broadway, New York, has been published for the purpose of explaining more fully Mr. Moffat's theory of diseases, and will be found highly interesting to persons seeking health. It treats upon prevalent diseases, and the causes thereof. Price, 25 cents. For sale by Moffat's agents generally.

☞ These valuable Medicines are for sale at the Office of the Hillsborough Recorder.

D. HEARTT, *Agent.*

May 20. 22—

STATE OF NORTH-CAROLINA.
Person County.

In Equity—May Term, 1840.

Robert Harris and others v. *Benjamin Murrow & wife and others.* } Petition for Sale of Real Estate.

IT appearing to the satisfaction of the Court, that Benjamin Murrow and Nancy his wife, George Sanders and Nancy his wife, John C. Moore and Sally his wife, and Dennis O. Briant, the defendants in this case, are not inhabitants of this state; It is therefore ordered by the Court, that publication be made in the Hillsborough Recorder, for the space of six weeks, for the said defendants to appear at the next term of this Court, to be held in the town of Roxborough, on the seventh Monday after the fourth Monday in September next, to answer or demur; or this petition will be taken *pro confesso* and heard *ex parte* as to them.

JOHN BRADSHER, *C. M. E.*

Price adv. $4 50 22 6w

Common Schools.

THE Board of Superintendants having completed a division of the county into school districts of five miles square, and such division being approved of and the necessary taxes levied by the Court, therefore, with a view of facilitating the enterprize, it is earnestly requested that some one of the committee men in each district, will meet the superintendants in Hillsborough on Tuesday of May Court, prepared to report the number of school houses in his district, their size, situation, &c. This information, if complete and satisfactory, will enable the chairman, some time during the next summer to draw the money appropriated by law to common schools, from the state treasury, and pay it over to each school district—so that Orange county may soon have a system of common schools in full operation.

JOHN TROLINGER,
Chairman B. S. C. S.

May 13. 21—

Pine Shingles.

THE subscriber keeps on hand, for sale, PINE S INGLES

JAMES S. SMITH.

April 8. 16—

Public Sale.

ON the 29th of the present month, there will be sold, at the dwelling house of Eu phence B Kerr deceased,

The TRACT OF LAND on which she lived,
Some Horses, Milch Cows and Hogs,
And all the Household and Kitchen Furniture;

in a word, all the property she possessed.

Terms made known on the day of sale.

J. A. WHITSITT, *Executor.*

May 6. 20—

Bacon for Sale.

THE subscriber has a quantity of excellent BACON for sale.

THOS. W. HOLDEN.

Eno Mills, April 2. 15—

GOELICK'S

Matchless Sanative.

THIS invaluable Medicine, which has performed astonishing cures in the Consumption, and other diseases of the liver, is kept constantly for sale by the subscriber, at Hartsborn Post Office, Orange county.

HENRY FOGLEMAN.

March 13. 11—61

Brandreth's Pills.

A VEGETABLE and Universal Medicine proved by the experience of thousands to be, when properly perseverred with, a CERTAIN cure in every form of the ONLY ONE DISEASE, all having the same origin, and invariably arise from the UNIVERSAL ROOT of all disease, namely IMPURITY or IMPERFECT circulation of the BLOOD.

In a period of little more than three years in the U. S. they have restored to a state of health and enjoyment over ONE HUNDRED THOUSAND persons, who were given over as incurable by physicians of the first rank and standing, and in many cases when every other remedy had been resorted to in vain.

In all cases of Pain or Weakness, whether it be chronic or recent, whether it be deafness or pain in the side, whether it arise from constitutional or from some immediate cause, whether it be from internal or external injury, it will be cured by persevering in the use of these Pills.

This principle of purging with Brandreth's Pills, removes nothing but the useless and decayed particles from the body—the morbid and corrupt humors of the blood, those humors which cause disease—they impede the functions of the liver when they settle upon that organ, and which, when they settle upon the muscles, produce rheumatism; or upon the nerves, produce gout; or upon the lungs, produce consumption; or upon the intestines, costiveness; or upon the lining of the blood vessels, apoplexy and paralysis, and all the train of disorders so melancholy to the sufferer and all who behold them.

Yes, purging these humors from the body is the true cure for all these complaints, and every other form of disease. This is no mere assertion—it is a demonstrable truth, and each day it is extending itself, far and wide it is becoming known, and more and more appreciated.

The cure by purging may more depend upon the laws which produce sweetness or purity, than may be generally imagined. Whatever tends to stagnate, will produce sickness, because it tends to putrefaction; therefore the necessity of constant exercise is seen.

When constant exercise cannot be used from ANY CAUSE, the occasional use of OPENING MEDICINE is ABSOLUTELY required. Thus the conduits of the blood, the fountain of life, are kept free from those impurities which would prevent its steady current ministering health. Thus morbid humors are prevented from becoming mixed with it. It is nature which is thus assisted through the *means* and *outlets* which she has provided for herself.

Dr. BRANDRETH's Office in Virginia, 195 MAIN STREET, RICHMOND, Near the Old Market.

Where the Pills can be obtained at 25 cents per box, with full directions.

The following gentlemen have been appointed agents for the sale of Brandreth's Pills:

Dennis Hearit, Hillsborough.
Stedman & Ramsay, Pittsborough.
Hargrave, Gaither & Co. Lexington.
Joseph A. Sireluff, Midway, Davidson.
James B. M'Dade, Chapel Hill.

December 3 99—13m

WILLIAM W. GRAY'S
Invaluable OINTMENT,
FOR THE CURE OF
External Diseases, viz:

White Swellings, Scrofula and other Tumours, Sore Legs and Ulcers, Old and Fresh Wounds, Sprains and Bruises, Swellings and Inflamations, Scalds and Burns, Women's Sore Breasts, Scald Head, Rheumatic Pains, Chilblains, Tetters, Eruptions, Biles, Whitlows—and a most effectual remedy for the removal of Corns,

Also, Beckwith's Anti-Dispeptic Pills

FOR SALE BY

ALLEN PARKS.

September 8. 35—

Shoes! Shoes!!

PARKER & NELSON

HAVE just received

400 pair of Ladies' Shoes, assorted.
300 do. Men's do. do.
150 do. Misses' and Children's do.

ALSO,

Ladies' and Gentlemen's India Rubber Over Shoes.

October 29. 94—

Typographical Notice.

A PRACTICAL PRINTER, who has had considerable experience in conducting a Newspaper, desires to take charge of a newspaper establishment, as principal, in North Carolina, Georgia, or Alabama; he would have no objection to associate himself with any gentleman embarked in the Printing business in either of the States last named, as he is very anxious to plant his person permanently, in Georgia or Alabama. His politics are of the Jeffersonian school, and, consequently, at war with many of the leading measures of the present Administration.

Unexceptionable testimony of good character can be adduced. Address "O P. Q., Hillsborough, North Carolina," postage paid.

Will the Raleigh 'Standard,' 'Register,' and 'Star,' and the papers generally in Georgia and Alabama, give this notice an insertion? By so doing they will oblige A PRINTER.

Jan 28, 1840.

Mattresses,

EITHER Double or Single, made to order—an article of great comfort, either in summer or winter. Orders left at the office of the Hillsborough Recorder will be duly attended to.

July 24. 80—

HILLSBOROUGH, N. C.

PUBLISHED WEEKLY

BY DENNIS HEARTT,

AT THREE DOLLARS A YEAR, OR TWO DOLLARS FIFTY CENTS IF PAID IN ADVANCE.

Those who do not give notice of their wish to have their paper discontinued at the expiration of the year, will be presumed as desiring its continuance until countermanded—And no paper will be discontinued until all arrearages are paid, unless at the option of the publisher.

Advertisements not exceeding sixteen lines, one dollar for the first, and twenty-five cents for each subsequent insertion; longer ones in proportion. Court advertisements twenty-five per cent higher. A deduction of 33⅓ per cent. will be made to advertisers by the year.